

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

KATHLEEN E. PERKINS,
Executrix of the Estate of
Ruth M. Day, Deceased,

Plaintiff,

-vs-

JOHN PAUL RIESER, et al.,

Defendants.

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Case No. 3:07-cv-325

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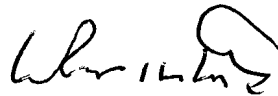
District Judge Walter Herbert Rice
Chief Magistrate Judge Michael R. Merz

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. No. 7), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired on June 25, 2008, hereby ADOPTS said Report and Recommendations.

It is therefore ORDERED that Defendants' Motion to Abstain or Stay (Doc. No. 3) is denied.

June 26, 2008.



Walter Herbert Rice
United States District Judge